

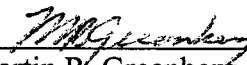
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3 **DECISION AND ORDER**
4 **OF THE**
5 **BOARD OF PSYCHOLOGY**

6
7 **DEPARTMENT OF CONSUMER AFFAIRS**

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9 The attached Stipulation in case number W202, is hereby adopted as the Decision and
10 Order of the Board of Psychology, Department of Consumer Affairs. An effective date of
11 September 15, 2001, 2001 has been assigned to this Decision and Order.

12
13 Made this 16th day of August, 2001.

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16 
17 Martin R. Greenberg, Ph.D.
18 President, Board of Psychology
19 Department of Consumer Affairs
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23
24

25 R. Quillen

1 BILL LOCKYER, Attorney General
of the State of California
2 ISMAEL A. CASTRO, State Bar No. 85452
Deputy Attorney General
3 California Department of Justice
1300 I Street, Suite 125
4 P.O. Box 944255
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5 Telephone: (916) 323-8203
Facsimile: (916) 327-2247
6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. W-202

11 **ROGER WAYNE QUILLEN, Ph.D**
7072 Plymouth Road
12 Stockton, CA 95207

STIPULATED SETTLEMENT
AND
DISCIPLINARY ORDER

13 Psychology License No.
14 PSY-3805

15 Respondent.

16 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to
17 the above-entitled proceedings that the following matters are true:

18 **PARTIES**

19 1. The Complainant, Thomas S. O'Connor, is the Executive Officer of the
20 Board of Psychology, Department of Consumer Affairs, and brought this action solely in his
21 official capacity. The Complainant is represented by the Attorney General of California, Bill
22 Lockyer, by and through Deputy Attorney General Ismael A. Castro.

23 2. Respondent Roger Wayne Quillen, Ph.D, is represented in this matter by
24 Albert M. Ellis, Esq., of Hakeem, Ellis, Simonelli & Marengo, whose address is 2800 West
25 March Lane, Suite 200, Stockton, CA 95219-8218.

26 3. On June 19, 1972, the Board of Psychology issued License No. PSY-3805
27 to Roger Wayne Quillen, Ph.D ("Respondent"). At all times relevant herein, said license was in
28 full force and effect and will expire on January 31, 2002, unless renewed.

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1 its designee on a quarterly basis verifying that monitoring has taken place and providing an
2 evaluation of respondent's performance.

3 Respondent shall notify all current and potential patients of any term or condition
4 of probation which will affect their therapy or the confidentiality of their records (such as this
5 condition which requires a practice monitor). Such notifications shall be signed by each patient
6 prior to continuing or commencing treatment.

7 If the monitor quits or is otherwise no longer available, respondent shall obtain
8 approval from the Board for a new monitor within 30 days. If no new monitor is approved
9 within 30 days, respondent shall not practice until a new monitor has been approved by the
10 Board or its designee. During this period of non-practice, probation will be tolled and any period
11 of non-practice shall not apply to the reduction of this probationary period. Respondent shall pay
12 all costs associated with this monitoring requirement. Failure to pay these costs shall be
13 considered a violation of probation.

14 2. JURISPRUDENCE AND PROFESSIONAL ETHICS

15 EXAMINATION Respondent shall take the next regularly scheduled Jurisprudence and
16 Professional Ethics examination, and if respondent fails such examination, respondent shall
17 immediately cease accepting new patients and, in accordance with professional standards, shall
18 appropriately refer/terminate existing patients within 30 days and shall not resume practice until
19 the re-examination has been successfully passed, as evidenced by written notice to respondent
20 from the Board or its designee. During this period of non-practice, probation is tolled and this
21 period of non-practice will not apply to the reduction of this probationary period. The
22 examination is given in January and June each year. It is respondent's responsibility to contact
23 the Board in writing to make arrangements for such examination. Respondent shall pay the
24 established examination fee(s).

25 3. COURSEWORK Respondent shall take and successfully complete not
26 less than twelve (12) hours of coursework each year of probation in the following areas: Dual
27 relationships, transference and counter-transference issues, and laws and ethics. Coursework
28 must be preapproved by the Board or its designee. All coursework shall be taken at the graduate

1 level at an accredited educational institution or by an approved continuing education provider.
2 Classroom attendance is specifically required; correspondence or home study coursework shall
3 not count toward meeting this requirement. The coursework must be in addition to any
4 continuing education courses that may be required for license renewal.

5 Within 90 days of the effective date of this Decision, respondent shall submit to
6 the Board or its designee for its prior approval a plan for meeting the educational requirements.
7 All costs of the coursework shall be paid by the respondent.

8 4. **INVESTIGATION/ENFORCEMENT COST RECOVERY**

9 Respondent shall pay to the Board its costs of investigation and enforcement in the amount of
10 \$6977.17 within the first year of probation. Such costs shall be payable to the Board of
11 Psychology. Failure to pay such costs shall be considered a violation of probation.

12 5. **PROBATION COSTS** Respondent shall pay the costs associated with
13 probation monitoring each and every year of probation. Such costs shall be payable to the Board
14 of Psychology at the end of each fiscal year. Failure to pay such costs shall be considered a
15 violation of probation.

16 6. **OBEY ALL LAWS** Respondent shall obey all federal, state, and local
17 laws, and all laws governing the practice of psychology in California including ethical guidelines
18 of the American Psychological Association. A full and detailed account of any and all
19 violations of law shall be reported by the respondent to the Board or its designee in writing,
20 within seventy-two (72) hours of occurrence.

21 7. **QUARTERLY REPORTS** Respondent shall submit quarterly
22 declarations under penalty of perjury on forms provided by the Board or its designee, stating
23 whether there has been compliance with all the conditions of probation.

24 8. **PROBATION COMPLIANCE** Respondent shall comply with the
25 Board's probation program and shall, upon reasonable notice, report to the assigned District
26 Office of the Medical Board of California or other designated probation monitor. Respondent
27 shall contact the assigned probation officer regarding any questions specific to the probation
28 order. Respondent shall not have any unsolicited or unapproved contact with 1) complainants

1 associated with the case; 2) Board members or members of its staff; or 3) persons serving the
2 Board as expert evaluators.

3 9. **INTERVIEW WITH BOARD OR ITS DESIGNEE** Respondent shall
4 appear in person for interviews with the Board or its designee upon request at various intervals
5 and with reasonable notice.

6 10. **CHANGES IN EMPLOYMENT** Respondent shall notify the Board in
7 writing, through the assigned probation officer, of any and all changes of employment, location,
8 and address within 30 days of such change.

9 11. **TOLLING FOR OUT-OF -STATE PRACTICE OR RESIDENCE**
10 In the event respondent should leave California to reside or to practice outside the State or for
11 any reason should respondent stop practicing psychology in California, respondent shall notify
12 the Board or its designee in writing within ten days of the dates of departure and return or the
13 dates of non-practice within California. Non-practice is defined as any period of time exceeding
14 thirty (30) days in which respondent is not engaging in any activities defined in Sections 2902
15 and 2903 of the Business and Professions Code. Periods of temporary or permanent residency or
16 practice outside California or of non-practice within California will not apply to the reduction of
17 this probationary period.

18 12. **VIOLATION OF PROBATION** If respondent violates probation in any
19 respect, the Board may, after giving respondent notice and the opportunity to be heard, revoke
20 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
21 Revoke Probation is filed against respondent during probation, the Board shall have continuing
22 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
23 is final. No Petition for Modification or Termination of Probation shall be considered while
24 there is an Accusation or Petition to Revoke Probation pending against respondent.

25 13. **COMPLETION OF PROBATION** Upon successful completion of
26 probation, respondent's license will be fully restored.


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1 ACCEPTANCE


2 I hereby certify that I have read this Stipulated Settlement and Disciplinary Order
3 in its entirety and that I have fully discussed the terms and conditions and other matters fully
4 with my attorney Albert M. Ellis, Esq., of Hakeem, Ellis, Simonelli & Marengo. I understand
5 the effect this Stipulation will have on my license. I enter this Stipulation freely, knowingly,
6 intelligently, and voluntarily and agree to be bound by the Order and Decision of the Psychology
7 Board.

8 DATED: 7/16/01.

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11 ROGER WAYNE QUILLEN, Ph.D
Respondent

12 I concur as to form.

13 DATED: 7/16/01.

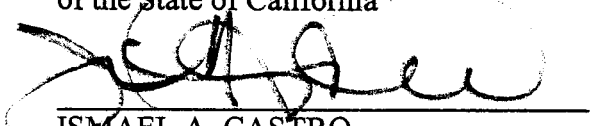
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15 
16 ALBERT M. ELLIS, Esq.
Attorney for Respondent

17 ENDORSEMENT

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration of the Board of Psychology, Department of Consumer Affairs.
20

21 DATED: 7/17/2001.

22 BILL LOCKYER, Attorney General
23 of the State of California

24 
25 ISMAEL A. CASTRO
Deputy Attorney General

26 Attorneys for Complainant

EXHIBIT A

BILL LOCKYER, Attorney General
of the State of California
GAIL M. HEPPELL, Supervising
Deputy Attorney General, State Bar No. 84134
ISMAEL A. CASTRO, State Bar No. 85452
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Telephone: (916) 323-8203
Facsimile: (916) 327-2247

Attorneys for Complainant

FILED
STATE OF CALIFORNIA
BOARD OF PSYCHOLOGY
MENTO Feb. 22 2001
M. J. Jack ANALYST

BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. W-202

ROGER WAYNE QUILLEN, Ph.D
7072 Plymouth Road
Stockton, CA 95207

Psychology License No.
PSY-3805

ACCUSATION

Respondent.

Complainant alleges:

PARTIES

1. Thomas S. O'Connor ("Complainant") brings this Accusation solely in his official capacity as the Executive Officer of the California Board of Psychology.
2. On or about June 19, 1972, the Board of Psychology issued License No. PSY-3805 to Roger Wayne Quillen, Ph.D ("Respondent"). The Psychologist's license was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2002, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board of Psychology ("Board"), under the authority of the Business and Professions Code ("Code").

4. Section 2960 of the Code provides, in part:

The board may . . . suspend or revoke the . . . license of any . . . licensee if the . . . licensee has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not be limited to:

....

(j) Being grossly negligent in the practice of his or her profession.

....

(r) Repeated acts of negligence.

5. Section 2964.6 provides that a "disciplinary decision that imposed terms of probation may include . . . a requirement that the licensee" pay costs of probation monitoring.

6. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

7. Respondent is guilty of unprofessional conduct within the meaning of Code sections 2960(j) and (r) as more particularly set forth hereinbelow.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

[Bus. & Prof. Code § 2960(j)]

8. Between the dates of June 1996 through May or June 1999, respondent diagnosed and treated M.B. for Dissociative Identity Disorder (formerly "Multiple Personality Disorder"). Respondent also initially diagnosed S.B., husband of M.B., with "residual schizophrenia" and treated his condition from approximately June 1996 through May 1998.

9. During the time respondent was treating S.B. and M.B., respondent allowed a potentially exploitative multiple-role relationship to develop. Respondent took control of S.B.'s and M.B.'s personal finances. Respondent would meet S.B. and M.B. at a check cashing business where respondent would receive a sum of money. After M.B. would purchase money orders for the payment of rent and utilities, respondent would dispense money back to S.B. and M.B. according to their needs. In November 1998, M.B. and respondent opened a joint

bank account at Union Safe Deposit Bank in Stockton, California. Respondent was a signatory to the account. Respondent would also receive gifts from S.B. and M.B..

10. During the time respondent was treating S.B. and M.B., respondent never billed Medi-Cal or Medicare for his services although he was eligible to do so. Instead, S.B. and M.B. paid respondent for his services in cash even though they could not afford to do so.

11. While treating M.B. for her Dissociative Identity Disorder, respondent engaged in inappropriate therapeutic techniques. At one treatment session, respondent threatened to use a cattle prod. On another occasion, while treating M.B. at her residence, respondent inflicted corporal punishment by spanking her. Finally, when respondent terminated his treatment of M.B., he did not provide her with referrals for her continuing care.

12. Respondent's conduct as set forth in paragraphs 9, 10, and 11, above, in creating an exploitative multiple-role relationship with S.B. and M.B., in which he accepted gifts from S.B. and M.B., by opening a joint bank account with M.B., by monthly taking a sum of money from S.B. and M.B. and then dispensing portions back to them according to their needs, by not billing Medi-Cal or Medicare for his services when S.B. and M.B. could not afford to pay for his services, and by use of inappropriate therapeutic techniques in his treatment of M.B., constitute gross negligence within the meaning of Code section 2960(j).

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

[Bus. & Prof. Code § 2960(r)]

13. Complainant realleges paragraphs 9, 10, and 11, above, and incorporates them herein by reference as if fully set forth at this point.


14. Respondent's conduct as set forth in paragraphs 9, 10, and 11, above, or any combination of two or more thereof, constitutes repeated negligent acts within the meaning of Code section 2960(r).

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

///

1. Revoking or suspending Psychologist License No. PSY-3805, issued to Roger Wayne Quillen, Ph.D;
2. Ordering Roger Wayne Quillen, Ph.D to pay the Board the reasonable costs of the investigation and enforcement of this case, and, if placed on probation, the costs of probation monitoring;
3. Taking such other and further action as deemed necessary and proper.


Thomas S. O'Connor
Executive Officer
Board of Psychology
Department of Consumer Affairs
State of California
Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Accusation Filed
Against:

Roger Wayne Quillen, Ph.D.

No. : W202

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22 Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Roger Wayne Quillen, Ph.D.
7072 Plymouth Road
Stockton, CA 95207

7099 3400 0002 4471 4824

Albert M. Ellis, Esq.
Hakeem, Ellis, Simonelli & Marengo
2800 West March Lane, Suite 200
Stockton, CA 95219-8218

Ismael A. Castro
Deputy Attorney General
1300 I Street, Suite 125
Sacramento, CA 95814

Each said envelope was then on, August 16, 2001, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, August 16, 2001, at Sacramento, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT

Mary Laackmann
Enforcement Analyst